

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Frederick Lee Irons,

Plaintiff,

v.

Civ. No. 06-5062 (JNE/RLE)
ORDER

Marty Anderson, Warden,

Defendant.

In a Report and Recommendation dated January 4, 2007, the Honorable Raymond L. Erickson, Chief United States Magistrate Judge, recommended that plaintiff's petition for a writ of habeas corpus be dismissed for lack of jurisdiction. Plaintiff objected to the Report and Recommendation and filed a separate motion requesting appointment of counsel. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. The Court also denies as moot plaintiff's motion requesting appointment of counsel. Therefore, IT IS ORDERED THAT:

1. Plaintiff's Petition for a Writ of Habeas Corpus [Docket No. 1] is DISMISSED FOR LACK OF JURISDICTION.
2. Plaintiff's Motion Requesting Appointment of Counsel [Docket No. 3] is DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 8, 2007

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge